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COMBATING TRANSNATIONAL ORGANIZED CRIMES

Transnational organized crime refers to different criminal associations of individuals who operate transnationally for the purpose of obtaining power, influence, monetary or commercial gains protecting their activities through a pattern of corruption or violence, or through a transnational organized structure and the exploitation of transnational commerce or communication mechanisms.

So there is no single structure under which transnational organized criminals operate. They vary from hierarchies to clans, networks, and cells, and may evolve to other structures.

The crimes they commit also vary. Transnational organized criminals possess certain characteristics which may include activities that are likely: to intimidate, or make actual or implicit threats to do so; to exploit differences between countries to further their objectives, enriching their organization, expanding its power or avoiding detection and apprehension; to gain influence in government, politics, and commerce through corruption as well as legitimate means; to have economic gain as their primary goal, not only from illegal activities but also from investment in legitimate businesses; and they attempt to insulate both their leadership and membership from detection, sanction or prosecution through their organizational structure.

Today the threat from TOC is more complicated because criminal networks are more fluid and are using increasingly sophisticated tactics. TOC can exploit the interconnected nature of our modern trading, transportation, and transactional systems that move people and commerce throughout the global economy and across our borders.

Countering TOC today requires an integrated and comprehensive approach.

This Strategy sets out such an approach to raise international awareness about the reality of the TOC threat to international security; galvanize multilateral action to constrain the reach and influence of TOC; deprive TOC of its enabling means and infrastructure; shrink the threat TOC poses to citizen safety, national security, and governance; and ultimately defeat the TOC networks that pose the greatest threat to national security. TOC presents sophisticated and multi-faceted threats that cannot be addressed through law enforcement action alone. Accordingly, we will establish an interagency Threat Mitigation Working Group to identify those TOC networks that present a sufficiently high national security threat as to merit the focused use of complementary law enforcement and non-law enforcement assets and that may be vulnerable to whole-of-government responses.

This Strategy sets out five overarching policy objectives that are consistent with the vision and priorities of the National Security Strategy:

1. Protect Americans and partners from the harm, violence, and exploitation of transnational criminal networks.

2. Help partner countries strengthen governance and transparency, break the corruptive power of transnational criminal networks, and sever state-crime alliances.

3. Break the economic power of transnational criminal networks and protect strategic markets and the U.S. financial system from TOC penetration and abuse.

4. Defeat transnational criminal networks that pose the greatest threat to national security, by targeting their infrastructures, depriving them of their enabling means, and preventing the criminal facilitation of terrorist activities.

5. Build international consensus, multilateral cooperation, and public-private partnerships to defeat transnational organized crime.

Список використаних джерел

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NON-DISCLOSURE OF PRE-TRIAL INVESTIGATION INFORMATION: INTERNATIONAL EXPERIENCE

In connection with the improvement and optimization of the regulatory framework of our state and its promotion in the world of civilized space, there is a need to implement international law in domestic legislation. The effectiveness of pre-trial investigation bodies in detecting and investigating criminal offenses depends on a number of factors that have common features in the procedural legislation of different countries. The problem of unjustified disclosure of information obtained by pre-trial investigation bodies is relevant in this context. It should be noted that disclosure of pre-trial investigation information in criminal proceedings violates the rights, freedoms and legitimate interests of participants in criminal proceedings, prevents the establishment of circumstances to be proved, so the concept of "secrecy of pre-trial investigation" should be investigated in the light of international experience.

Examining the rules of the countries, we noticed that the term "secret pre-trial investigation" is not used in Anglo-Saxon procedural law, as well as in the rules of criminal procedure in some countries of Eastern Europe (Ukraine, Belarus, Lithuania) and Western Europe (Federal Republic of Germany), France). The procedural law of these states only determines the inadmissibility for participants in criminal proceedings without the appropriate permission to disclose the data of the pre-trial investigation, warning of criminal liability for violation of these obligations.

However, Art. 222 of the CPC of Ukraine contains almost similar provisions, namely the information of the pre-trial investigation can be